

### **REMARKS**

Claims 1-5, 7 and 18 are now pending in the application. Claim 1 is amended to incorporate the additional features of claim 6. Claims 6, 8-17 and 19-20 are cancelled. It is respectfully submitted that no new issue which requires further search or consideration is added. The Examiner is respectfully requested to reconsider and withdraw the rejections in view of the amendments and remarks contained herein.

### **REJECTION UNDER 35 U.S.C. § 103**

Claims 1-14 and 18-20 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Ramsden, et al. (European Pat. No. 1006751) in view of Bordogna, et al. (U.S. Pub. No. 2008/0291832).

Claims 15-17 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Ramsden, et al. in view of Sholten (U.S. Pub. No. 2003/0218981).

These rejections are respectfully traversed.

Applicant has merely amended claim 1 to incorporate the limitations of the previously presented claim 6. Claim 6 has been canceled. Claim 1 recites "a physical port of the receiving-end equipment, if there is congestion at the VC-Trunk, adding a VC-Trunk tag indicating that there is congestion at the VC-Trunk in a flow control packet."

The Examiner has acknowledged that Ramsden fails to teach or suggest the above features, but asserts that Bordogna teaches the above features. Specifically, the Examiner asserts that paragraph [0019] of Bordogna states "the flow control indicator is mapped by the GFP mapping function 130 or 155 associated with the offending transmitting end

station 105-n to a port-based pause frame that is sent only to the offending transmitting end station 105-n identified by customer identification” and thus teaches the above mentioned features. Applicant respectfully traverses the Examiner’s assertion.

Applicant respectfully draws the Examiner’s attention to paragraphs [0019], [0021-0022], [0024] of Bordogna.

Paragraph [0019] of Bordogna reads “the flow control indicator is a bit in the GFP header of each packet that may be sent in the opposite direction of a detected potential overflow condition to a predefined binary value to indicate a potential overload condition...the flow control indicator is mapped by the GFP mapping function 130, 155 associated with the offending transmitting end station 105-n to a port-based pause frame that is sent only to the offending transmitting end station 105-n”.

Paragraph 0021 of Bordogna reads

Generally, all Ethernet packets are encapsulated within the GFP layer that is transmitted across the SONET network 150. A GFP linear expansion header 300 is placed on each packet. As shown in FIG. 3, the GFP linear expansion header 300 includes a customer identifier (CID) 310 to identify the end station 105-n that generated the packet, a spare byte 315, discussed below, an extension header 320 and a payload 325, which is the Ethernet packet(s) to be transmitted.

Paragraph [0022] of Bordogna reads “the flow control indicator is set by the GFP mapping function 130, 155 that detects the congestion condition and is mapped at the GFP termination point ....”

Paragraph [0024] of Bordogna reads “for example, the flow control indicator can be to a first binary value in every packet generated when a congestion condition is present and to a second binary value in every packet when a congestion condition is not present.”

In other words, Bordogna at best shows that a flow control indicator is set in every payload packet sent to the station 105-n. Bordogna, however, does not teach or suggest setting a flow control indicator in a flow control packet as required by claim 1. Applicant further submits that one of ordinary skill in the art would clearly appreciate that a flow control packet differs from the regular payload packets.

In addition, claim 1 calls for “wherein the flow control packet comprises an 802.3x pause frame and the VC-Trunk tag as a header to the 802.3x pause frame.”

In rejecting claim 6, the Examiner asserts that Bordogna also teaches that a flow control packet includes an 802.3x pause frame.

Applicant respectfully submits that that Bordogna only shows generating a pause frame at the GFP mapping function 130 and transmitting the generated pause frame in the local area network 110; Bordogna does not teach transmitting a pause frame in SDH/SONET frames in the transport network 150. Thus, Bordogna cannot teach the feature “wherein the flow control packet comprises an 802.3x pause frame and the VC-Trunk tag as a header to the 802.3x pause frame” of claim 1.

Specifically, Bordogna at best shows that the flow control indicator is set by the GFP mapping function 155 which detects the congestion condition, and is mapped to a pause frame by the GFP mapping function 130 which is associated with the offending transmitting end station 105-n. Therefore, when the flow control indicator is set at the GFP mapping function 155, there is no pause frame yet at all. The packets/frames transmitted in the transport network 150 do not contain an 802.3x pause frame.

In view of the above arguments, it is submitted that claim 1 defines over what is disclosed by Ramsden and Bordogna. Accordingly, withdrawal of the rejection of claim 1 under 35 USC 103(a) is respectfully requested.

Claims 2-7 and 18 are dependent from claim 1 and are therefore should be allowed for at least the foregoing reasons of claim 1. Withdrawal of the rejections of claims 2-7 and 18 under 35 USC 103(a) is also respectfully requested.

Claims 8 and 13 are respectively independent apparatus claims having corresponding features of claim 1. The above arguments also apply herein. Therefore, withdrawal of the rejections of claims 8 and 13, together with there dependent claims 9-12, 14 and 19-20, under 35 USC 103(a) is also respectfully requested.

### **CONCLUSION**

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action and the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 08-0750, under Order No. 9896-000012/US from which the undersigned is authorized to draw.

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Respectfully submitted,

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